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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,844	03/26/2004	Yefim Goldin	001220	2843
29569	7590	06/24/2008	EXAMINER	
FURR LAW FIRM 2622 DEBOLT ROAD UTICA, OH 43080			JOSEPH, TONYA S	
			ART UNIT	PAPER NUMBER
			3628	
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			06/24/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/708,844	<b>Applicant(s)</b> GOLDIN, YEFIM	
	<b>Examiner</b> TONYA JOSEPH	<b>Art Unit</b> 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 18-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Status of Claims***

Claims 1-17 have been previously examined. Claims 1-17 have been cancelled. Claims 18-23 have been added. Thus Claims 18-23 are presented for examination.

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 18-23 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 18-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 18 recites the limitation, "having a web-based system which contacts, logs in to using stored passwords and retrieves invoice information and name and address information from a plurality of other websites where said information...". Applicant's organization of terms and lack of punctuation results in the claim being unclear. For Examination purposes, Examiner is interpreting, "having a web-based system which contacts and logs into a plurality of other websites, using stored passwords and retrieves invoice information and name and address information, where said information..." as meeting the limitations of the claim.

5. Claim 18 further recites the limitation, where a user can log on to said system..."

The phrase "can be" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). For Examination purposes, Examiner is interpreting the limitation following the phrase to be optional and not a required limitation of the claim.

6. Claims 19-23 contain the same deficiencies as claim 18 through dependency and as such, are rejected for the same reasons

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 18-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neely et al. U.S. Pre-Grant Publication No. 2002/0077977 A1 in view of Lindoerfer et al U.S. Pre-Grant Publication No. 2002/0069096 B1.

9. As per Claim 18, Neely teaches having a web-based system which contacts and logs into a plurality of other websites (see para. 52), using stored passwords and retrieves invoice information and name and address information (see para. 52 and 54), where said information is transferred back to said system (see para. 60). Neely does not explicitly teach the limitation taught by Lindoerfer, where said system has an automated and half automated method for printing labels (see para. 134). It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to

modify the system of Beckman and Virgin to include the teachings of Lindoerfer allow labels to be printed in batch format and non-batch format, as taught by Lindoerfer para.

134. The limitation, where said system uses the information to print out an invoice based on said invoice information” is merely a statement of intended use and as such is afforded little patentable weight.

10. As per Claim 19, Neely in view of Lindoerfer teaches the method of claim 18 as described above. Neely further teaches having a plurality of users logging on to said system (see para. 29 and 33). The limitation, “to print out on invoice based on said invoice information” is merely a statement of intended use and as such is afforded little patentable weight.

11. As per Claim 20, Neely in view of Lindoerfer teaches the method of claim 18 as described above. Neely further teaches said users register on said system (see para. 52-53).

12. As per Claim 21, Neely in view of Lindoerfer teaches the method of claim 18 as described above. Neely further teaches users selects a range of invoices to be processed (see para. 58).

13. As per Claim 23, Neely in view of Lindoerfer teaches the method of claim 18 as described above. Neely does not explicitly teach the limitation taught by Lindoerfer said system uses the information to print mailing labels (see para. 96 and para. 134). It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the system of Beckman and Virgin to include the teachings of Lindoerfer to send invoice information by mail.

14. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Neely et al. U.S. Pre-Grant Publication No. 2002/0077977 A1 in view of Lindoerfer et al U.S. Pre-Grant Publication No. 2002/0069096 B1 in further view of Official Notice.

15. As per Claim 22, Neely in view of Lindoerfer teaches the method of claim 18 as described above. Neely does not explicitly teach said system produces a file in comma delimited format. Official Notice is taken that files written in a comma delimited format is old and well known in the art of computer programming. It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the system of Neely and Lindoerfer to include the teachings of Official Notice to permit greater software application compatibility.

### ***Conclusion***

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TONYA JOSEPH whose telephone number is (571)270-1361. The examiner can normally be reached on Mon-Fri 7:30am-5:00pm First Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571 272 0847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tonya Joseph  
Examiner  
Art Unit 3628

/JOHN W HAYES/  
Supervisory Patent Examiner, Art Unit 3628

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